

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking Regarding Policies, Procedures and Rules for the California Solar Initiative, the Self-Generation Incentive Program and Other Distributed Generation Issues.

Rulemaking 12-11-005
(Filed November 8, 2012)

DECISION CORRECTING ERROR IN DECISION 15-01-027**Summary**

This decision clarifies the Multifamily Affordable Solar Housing (MASH) program incentives approved in Decision (D.) 15-01-027 by removing a phrase inadvertently included in that decision regarding incentive level eligibility of certain waitlisted projects. By removing this phrase from D.15-01-027, we seek to eliminate any confusion that may impede ongoing administration of the MASH program. The MASH program will reopen after the Commission's approval of the Tier 2 advice letter that the MASH program administrators must file no later than March 30, 2015. This proceeding remains open.

1. Discussion

Pursuant to Assembly Bill 217 (Bradford, 2013), on January 29, 2015, the Commission adopted Decision (D.) 15-01-027 to extend the Multifamily Affordable Solar Housing (MASH) and the Single Family Affordable Solar Homes solar incentive programs.

However, we erroneously included a phrase in the decision that may cause confusion. We intended to remove the phrase before publication of a revised proposed decision that incorporated revisions in response to comments filed

pursuant to Section 311.¹ We failed to complete this edit. We now note that the existence of this phrase in the final decision is in error and may cause confusion regarding incentive level eligibility for waitlisted MASH projects that were installed prior to the date of D.15-01-027.

Specifically, the phrase on page 59 of Section 12 of D.15-01-027 states: “Therefore, these projects [projects on the waitlist that were installed prior to the date of the decision] are exempted from the new job training requirement, but will only be eligible for the Track 1C incentive level, unless the applicant can demonstrate that the project met the Track 1D job training requirement.”

To eliminate confusion regarding the implementation of the incentive level eligibility for these projects, we revise page 59 of D.15-01-027 as follows:

“Therefore, these projects are exempted from the new job training requirement, ~~but will only be eligible for the Track 1C incentive level, unless the applicant can demonstrate that the project met the Track 1D job training requirement.~~”

No revisions are made to Conclusions of Law 35 and 44 of D.15-01-027, the two Conclusions of Law that reference this topic, because with the removal of the above-noted phrase from page 59, the text now aligns with Conclusions of Law 35 and 44.

No other revisions are made to any further aspects of the decision.

¹ All statutory references are to the Public Utilities Code unless otherwise indicated.

2. Waiver of Comments on Proposed Decision – Uncontested Matter

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to Section 311(g)(2) of the Public Utilities Code and Rule 14.6(c)(2) of the Commission's Rules of Practice and Procedure, the otherwise applicable 30-day period for public review and comment is waived.

3. Assignment of Proceeding

Michael Picker is the assigned Commissioner and Regina M. DeAngelis is the assigned Administrative Law Judge for this portion of the proceeding.

Finding of Fact

1. D.15-01-027 included the following erroneous text, noted in strikeout, on page 59 and which may cause confusion regarding MASH incentives:
"Therefore, these projects are exempted from the new job training requirement, ~~but will only be eligible for the Track 1C incentive level, unless the applicant can demonstrate that the project met the Track 1D job training requirement.~~"

Conclusions of Law

1. Removing the following erroneous language, noted in strikeout, from page 59 of D.15-01-027, will eliminate any potential confusion caused by the error:
"Therefore, these projects are exempted from the new job training requirement, ~~but will only be eligible for the Track 1C incentive level, unless the applicant can demonstrate that the project met the Track 1D job training requirement.~~"

2. No revisions are made to Conclusions of Law 35 and 44 of D.15-01-027, the two Conclusions of Law that reference this topic, because with the removal of the above-noted phrase from page 59, the text now aligns with Conclusions of Law 35 and 44.

3. No other revisions are made to D.15-01-027.

O R D E R

IT IS ORDERED that:

1. Page 59 of D.15-01-027 is modified as follows: “Therefore, these projects are exempted from the new job training requirement, ~~but will only be eligible for the Track 1C incentive level, unless the applicant can demonstrate that the project met the Track 1D job training requirement.~~”

2. Rulemaking 12-11-005 remains opens.

This order is effective today.

Dated _____, at San Francisco, California.